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CENTRAL VALLEY WATER BOARD EXECUTIVE OFFICER ISSUES \$415,000 ADMINISTRATIVE CIVIL LIABILITY COMPLAINT TO THE CITY OF ISLETON

SACRAMENTO – The City of Isleton faces penalties of \$415,000 for violations of the California Water Code and Federal Clean Water Act. The violations include raw sewage spills to Georgiana Slough, failure to have an operational flow meter, and failure to submit a required technical report.

The Executive Officer of the Central Valley Regional Water Quality Control Board has issued an Administrative Civil Liability Complaint to the city for violating several sections of the Water Code, for violations of Waste Discharge Requirements (WDRs) and for violations of subsequent Orders issued to compel compliance with the WDRs. This complaint is available for public review on the Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/.

The City of Isleton spilled an estimated 2 million gallons of raw sewage to Georgiana Slough over a period of 39 days in September and October 2008, and an unknown amount of raw sewage on April 13, 2009. Since at least November 1, 2008 through October 1, 2009 (a period of 334 days), the City of Isleton's influent flow meter did not function, which is a violation of the WDRs. If the meter had been functioning, the spill might have been discovered sooner and the spill volume reduced. Because the flow meter was not operating, the volume of raw sewage that discharged was not determined. In addition, because the flow meter was not operating, the Discharger has not submitted the Capacity Analysis Conceptual Plan, which was due in February 2008. As of early October 2009, the Discharger had purchased a new flow meter, but had not permanently installed it.

The maximum penalty that could be assessed under the California Water Code for the above violations is more than \$22 million. The Executive Officer is willing to accept a settlement offer from the City of Isleton, which would suspend the majority of the penalties, contingent upon the city installing a permanent flow meter, replacing the leaking force main, and completing the Capacity Analysis Report in a reasonable timeframe.

The Central Valley Regional Water Quality Control Board is a California state agency responsible for preservation and enhancement of quality in water resources. The Board may consider the complaints at its regular public board meeting on January 27, 28, or 29, 2010.